

MASTER EXHIBIT SERIES

GUATEMALA

DEPARTURE/SAFE HAVEN

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All the sources of information contained in this document are identified and are publicly available. Summaries and Abstracts by Pat Chaffee of the Central American Refugee Center, San Francisco, CA.

INS RESOURCE INFORMATION CENTER
425 I STREET, N.W.
(ULLICO BUILDING, 3RD FLOOR)
WASHINGTON, D.C. 20536

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The July 27, 1990 Regulations, "Aliens and Nationality: Asylum and Withholding of Deportation Procedures," mandated the creation of a new corps of Asylum Officers to provide an initial, nonadversarial adjudication of asylum claims. Asylum Officers use asylum law, interviews with asylum applicants, and relevant information on country conditions to determine the merits of individual claims for asylum.

The Resource Information Center was created to assist Asylum Officers domestically, and Immigration Officers determining refugee status overseas, by collecting and disseminating a credible and objective information on human rights conditions. As specified in the Regulations (8 CFR 208.12), such information may be obtained from the Department of Justice, the Department of State, and "other credible sources, such as international organizations, private voluntary organizations, or academic institutions."

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<u>Item</u>	<u>Citation/Description</u>
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| I. | U.S. Committee for Refugees, "Running the Gauntlet: The Central American Journey Through Mexico," (Washington, DC: U.S. Committee for Refugees, January 1991). |
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Although Mexico enjoys a reputation of humane treatment of refugees, and the official definition of refugees is more inclusive than that of the U.N. protocol, the current practice is to deport Central American refugees without an opportunity for requesting asylum. Moreover, in addition to the accepted system of bribes, refugees are also subjected to physical and psychological abuse from Mexican immigration and law enforcement officials.

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| II. | "Honduran Left Asks for Dialogue with Government and Army," <u>Excelsior</u> , 21 December 1990 (as reported in <u>Central American Newspak</u> , No. 127). |
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The Honduran Government announced that because of the severity of the economic crisis, Honduras will no longer accept Central American refugees into Honduras.

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| III.a. | Amnesty International, <u>Urgent Action</u> , Guatemala/Belize, "Fear of Disappearance/Torture," 14 November 1990, "UA 462/90." |
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| III.b. | Amnesty International, <u>Urgent Action</u> , Guatemala/Belize, "Further Information on UA 462/90 (14 November 1990)," 20 February 1991. |
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Luis Arturo Arevalo was captured by the Special Branch of the Belicean security forces between 3 and 4 November 1990, was reportedly subjected to beatings, and, after a week, reportedly handed over to the Kaibiles, an elite counterinsurgency unit of the Guatemalan security forces.

AI Urgent Action participants have received letters signed by the Prime Minister of Belize announcing the appointment of a Commission of Inquiry to investigate the case of Luis Arturo Arevalo. The letter also says that the police have no record of the arrest and deportation of Luis Arturo Arevalo.

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| IV. | "Government Denies Rumors of Raid Into Mexico," Mexico City, NOTIMEX, 31 August 1990 (as reported in Foreign Broadcast Information Service [FBIS], <u>Daily Report: Latin America</u> , 5 September 1990, p. 15). |
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The Guatemalan Foreign Ministry denied having received any reports on an alleged raid by Guatemalan soldiers into Mexican refugee camps. The Foreign Minister said that Guatemala and Mexico are trying to find a "new solution" to the problem posed by more than 40,000 Guatemalan refugees living in Mexican territory.

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| V. | "Central American Refugees Say Bribery is Commonplace," Austin American-Statesman, 12 March 1989 (as reported in <u>Central American Newspak</u> , No. 80). |
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Central American refugees report that bribes are extorted from them from Mexican customs agents, judicial police and federal highway police, as well as from bus drivers.

- VI. Joan Friedland and Jesus Rodriguez y Rodriguez, Seeking Safe Ground: The Legal Situation of Central American Refugees in Mexico, (San Diego, CA: Instituto de Investigaciones Juridicas de UNAM and Mexico-U.S. Law Institute, University of San Diego School of Law, 1987), pp. xi-xiii, 24-50.

The status of "refugee" does not legally exist in Mexico, and the status of "political asylee" is extremely rare. The legal status of de facto refugees varies, depending to a large extent on whether or not the refugee resides in an official refugee camp or not. Treatment of refugees also varies. Refugees in camps receive aid from the Mexican government, the UNHCR, and other agencies. Refugees outside the camps receive aid --sometimes clandestine -- from religious groups and other advocacy groups.

- VII. Derrill Bazy, "Nowhere to Go," Christian Science Monitor, 10 December 1986 (as reported in Information Services on Latin America [ISLA], Vol. 33, Iss. 6, #2910).

Because of its poor economic situation, Mexico encourages the repatriation of Guatemalan refugees. The government of Guatemala also encourages their return, but cannot guarantee their safety.

- VIII. Patricia Weiss Fagan and Sergio Aguayo, "Fleeing the Maelstrom: Central American Refugees." Central American and Caribbean Program Occasional Paper No. 10, School of Advanced International Studies, Johns Hopkins University, Washington, DC, March 1986, pp. 99-114.

Inaccessibility of health care and unemployment are two major problems faced by Central American refugees in Mexico. In Mexico City the refugees live among the most marginalized populations of the city.

- IX. Ted Weiss, "Temporary Safe Haven for Guatemalan Refugees," Congressional Record, 7 March 1985 (as reported in Central American Monitor, Vol. III, March 1985, p. 20).

Representative Ted Weiss introduces a resolution calling for Extended Voluntary Departure status for Guatemalans in the United States.

- X. Americas Watch, "Guatemalan Refugees in Mexico--1980-1984," (New York: Americas Watch Committee, 1984), pp. 1-9, 17-40.

The situation of Guatemalan refugees in Mexico is affected by 1) an ambiguous legal status; 2) cultural affinity of Guatemalans with Mexicans in Chiapas; 3) political tension between Guatemala and Mexico.

- XI. Alan Riding, "U.N. Aide Says Guatemala Attacks Its Refugees in Mexican Camps," New York Times, 6 February 1983 (as reported in Information Services on Latin America [ISLA], Vol. 26, Iss. 2, #570).

The U.N. High Commissioner for Refugees protested to Guatemala about two recent attacks on Guatemalan refugee camps in southern Mexico in which four people were murdered and one was kidnapped. Following a meeting between the Mexican Foreign Minister and the Guatemalan Ambassador to Mexico, Mexican President de la Madrid promised guarantees of security for the

refugees.

- XII. Amnesty International, "AI Concerns and Actions on Central American Refugees (Primarily from El Salvador and Guatemala)," (London: Amnesty International, 13 April 1982), "AMR 02/03/82."

AI's concern is that the refugees may be forcibly repatriated from countries where they have sought refuge to their country of origin, where there is a risk that they would be subjected to human rights violations. Countries of particular concern are the United States, Honduras, and Mexico.